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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                 |   |                     |
|---------------------------------|---|---------------------|
| In re application of            | ) | Examiner: W. JUNG   |
| A. QUAID et al.                 | ) |                     |
|                                 | ) | Art Unit: 3768      |
| Serial No.: 10/621,119          | ) |                     |
|                                 | ) | Confirmation: 9089  |
| Filed: July 16, 2003            | ) |                     |
|                                 | ) |                     |
| For: <b>GUIDANCE SYSTEM AND</b> | ) |                     |
| <b>METHOD FOR SURGICAL</b>      | ) |                     |
| <b>PROCEDURES WITH</b>          | ) |                     |
| <b>IMPROVED FEEDBACK</b>        | ) |                     |
|                                 | ) |                     |
| Date of Notice:                 | ) |                     |
| September 20, 2006              | ) |                     |
|                                 | ) |                     |
| Attorney Docket No.:            | ) | Cleveland, OH 44114 |
| MAKO 2 00027-3                  | ) | September 29, 2006  |

**RESPONSE TO NOTICE OF NON-COMPLIANT**  
**AMENDMENT**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment of September 20, 2006, the applicants are enclosing herewith a Substitute Amendment, which correctly lists the claim identifiers, particularly the claim identifier of claim 12 has been corrected. No other changes have been made to the original Amendment submitted on September 11, 2006.

Certificate of Mailing

I certify that this **RESPONSE TO NON-COMPLIANT AMENDMENT AND SUBSTITUTE AMENDMENT** in connection with Ser. No. 10/621,119 is being  
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

|                    |
|--------------------|
| Date               |
| September 29, 2006 |

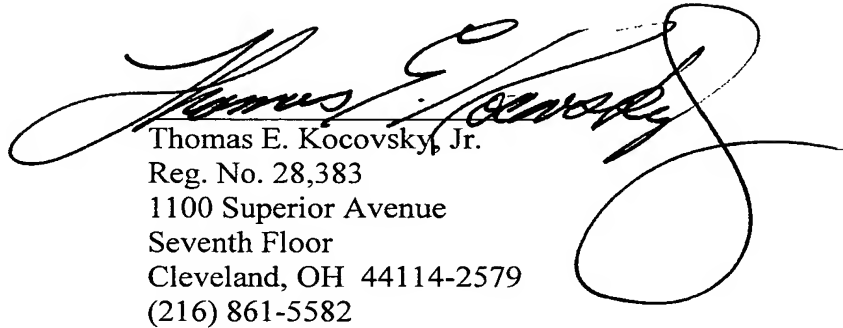
|                                      |
|--------------------------------------|
| Signature<br><i>Hilary M McNulty</i> |
| Printed Name<br>Hilary M. McNULTY    |

Because the additional claims fee was previously submitted on September 11, 2006, there is no fee due in connection with this response.

An early indication that this Amendment has been considered and allowance of the application are earnestly solicited.

Respectfully submitted,

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In re application of ) Examiner: W. JUNG  
A. QUAID et al. )  
Serial No.: 10/621,119 ) Art Unit: 3768  
Filed: July 16, 2003 ) Confirmation: 9089  
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**IMPROVED FEEDBACK** )  
Date of Notice: )  
September 20, 2006 )  
Date of Last Office Action: )  
June 16, 2006 )  
Attorney Docket No.: ) Cleveland, OH 44114  
MAKO 2 00027-3 ) September 29, 2006

**SUBSTITUTE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Notice of Non-Compliant Amendment of September 20, 2006 and the Office Action of June 16, 2006. The additional claims fee was previously paid with the original submission of September 11, 2006.

Amendments to the claims are reflected in the listing of claims which begins on page 2.

Remarks begin on page 14.

Certificate of Mailing

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AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date  
September 29, 2006

Signature  
*Hilary M. McNulty*  
Printed Name  
Hilary M. McNULTY